

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Southern District of New York

JAVIER ALEJANDRO DIAZ PLAZA, CESAR LUIS
REGENTE MARIA, RIGOBERTO MARIA
CRISTOBAL, and GUADALUPE SEBASTIAN
SORIANO JIMENEZ, individually and on behalf of all
others similarly situated

Plaintiff(s)

v.

PERFECTO PIZZERIA CORPORATION d/b/a
LUNETTA PIZZA & RESTAURANT and 1638 PIZZA
CORPORATION d/b/a IL CANTUCCIO PIZZERIA &
RESTAURANT, HESHAM AHMED, as an individual

Defendant(s)

Civil Action No.

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* See attached rider.

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Helen F. Dalton & Associates, P.C.
Roman Avshalumov, Esq.
80-02 Kew Gardens Road, Suite 601
Kew Gardens, NY 11415

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: 11/08/2023

/S/ V. BRAHIMI

Signature of Clerk or Deputy Clerk

The seal of the United States District Court for the Southern District of New York is circular, featuring an eagle with spread wings in the center, surrounded by the words "UNITED STATES DISTRICT COURT" and "FOR THE SOUTHERN DISTRICT OF NEW YORK". Overlaid on the seal is a large, bold, handwritten signature in black ink.

Civil Action No. _____

PROOF OF SERVICE*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* _____
 was received by me on *(date)* _____ .

☐ I personally served the summons on the individual at *(place)* _____
 _____ on *(date)* _____ ; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____
 _____, a person of suitable age and discretion who resides there,
 on *(date)* _____, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* _____, who is
 designated by law to accept service of process on behalf of *(name of organization)* _____
 _____ on *(date)* _____ ; or

☐ I returned the summons unexecuted because _____ ; or

☐ Other *(specify)*: _____

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00 .

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

RIDER TO SUMMONS

Civil Case No.: _____

FULL COMPLAINT CAPTION:

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
JAVIER ALEJANDRO DIAZ PLAZA, CESAR LUIS
REGENTE MARIA, RIGOBERTO MARIA CRISTOBAL,
and GUADALUPE SEBASTIAN SORIANO JIMENEZ,
individually and on behalf of all others similarly situated,

Plaintiffs,

-against-

PERFECTO PIZZERIA CORPORATION d/b/a LUNETTA
PIZZA & RESTAURANT and 1638 PIZZA
CORPORATION d/b/a IL CANTUCCIO PIZZERIA &
RESTAURANT, and HESHAM AHMED, as an individual,

Defendants.
-----X

Civil Case No.:

**COLLECTIVE ACTION
COMPLAINT**

*JURY TRIAL
DEMANDED*

Via Personal Service:

PERFECTO PIZZERIA CORPORATION d/b/a LUNETTA PIZZA & RESTAURANT
1162 1st Ave., Frnt 1, New York, NY 10065
1638 PIZZA CORPORATION d/b/a IL CANTUCCIO PIZZERIA & RESTAURANT
1638 3rd Ave., New York, NY 10128

HESHAM AHMED

1162 1st Ave., Frnt 1, New York, NY 10065
1638 3rd Ave., New York, NY 10128

Service via Secretary of State:

PERFECTO PIZZERIA CORPORATION d/b/a LUNETTA PIZZA & RESTAURANT
(DOS ID# 4203032)
20-24 Ranford Place, Suite 605, Newark, NJ 07102
1638 PIZZA CORPORATION d/b/a IL CANTUCCIO PIZZERIA & RESTAURANT
(DOS ID# 6584035)
1638 3rd Ave., New York, NY 10128